

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

718P0299

HOUSE BILL NO. 1107

Introduced by: The Committee on Government Operations and Audit at the request of the
Interim Committee on Government Operations and Audit

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the promulgation of
2 rules to set various licensing and other fees for certain professions and occupations.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 36-4-19 be amended to read as follows:

5 36-4-19. The Board of Medical and Osteopathic Examiners may, without examination, issue
6 a license to any applicant holding a currently valid license or certificate issued to the applicant
7 by the examining board of the District of Columbia, any state or territory of the United States,
8 the National Board of Medical Examiners, the National Board of Osteopathic Physicians and
9 Surgeons, or any province of Canada, if the legal requirements of the examining board at the
10 time it issued the license or certificate were not less than those of this state at the time the
11 license is presented for registration.

12 However, the board may require the applicant to successfully pass either an oral or written
13 examination and personally appear before the board, a member of the board, or its staff.

14 Each applicant applying under the provisions of this chapter shall pay to the secretary of the
15 board a license fee not to exceed two hundred dollars to be set by the board by rule promulgated



1 pursuant to chapter 1-26.

2 Section 2. That § 36-4-20 be amended to read as follows:

3 36-4-20. If it appears to the State Board of Medical and Osteopathic Examiners by a
4 resolution thereof duly made and adopted, that an urgent need exists in any state-owned and
5 operated medical institution for the services of a practitioner of medicine, surgery, and obstetrics
6 and their branches, as a state employee, which cannot be adequately and effectively served by
7 a regularly licensed practitioner, the board may, in its discretion, grant a temporary permit to an
8 applicant who has satisfactorily passed a special examination and paid a fee of not to exceed
9 fifty dollars for ~~said~~ the examination, notwithstanding that the applicant has not completed the
10 period of internship or residence training in a hospital approved by the board and has failed or
11 has been unable to satisfactorily show that he is a graduate of an approved medical or
12 osteopathic college. The temporary permit shall be issued and be effective for one year from the
13 date of issuance of such permit. The temporary permit entitles the person to whom issued to
14 engage in the practice of medicine, surgery, and obstetrics and their branches as a state
15 employee under the supervision of a licensed physician in such state-owned and operated
16 medical institution and not elsewhere. Such temporary permit may be renewed by the board
17 upon application to it on an annual basis and the payment of an annual renewal fee of not to
18 exceed fifteen dollars. Except as may otherwise be provided in this section, applications for such
19 temporary permits shall be processed in the same manner as regular license applications under
20 § 36-4-11, and the holder of any such permit ~~shall be~~ is subject to all restrictions,
21 responsibilities, and privileges inuring to regular licensees under this chapter. The examination
22 and renewal fees provided for in this section shall be set by the board by rules promulgated
23 pursuant to chapter 1-26.

24 Section 3. That § 36-4-20.2 be amended to read as follows:

1 36-4-20.2. A certificate for locum tenens practice may be issued by the Board of Examiners
2 to an applicant who is a current holder of a valid license to practice medicine or osteopathy in
3 any state or territory of the United States, the District of Columbia, or province of Canada, or
4 who has graduated and received a diploma from an approved medical or osteopathic college and
5 who has completed at least one year of an approved internship or residency program or its
6 equivalent. ~~When~~ If such applicant is not the holder of a currently valid license to practice
7 medicine or osteopathy, as heretofore stated, the board may grant such certificate only after the
8 applicant has satisfactorily passed a special examination for locum tenens certificate
9 administered by the board. To obtain a locum tenens certificate, a petition ~~must~~ shall be
10 presented to the board signed under oath, by a licensed physician practicing in this state and by
11 the applicant requesting a locum tenens certificate which petition shall set forth the reasons why
12 the applicant should be issued a locum tenens certificate. In addition to the petition, the locum
13 tenens applicant ~~must~~ shall complete and submit to the board the application required by § 36-4-
14 19 accompanied by a fee of not to exceed fifty dollars made payable to the secretary of the board
15 and appear personally at the office of the South Dakota State Board of Medical and Osteopathic
16 Examiners or at the office of a member of the board. The application fee provided for in this
17 section shall be set by the board by rule promulgated pursuant to chapter 1-26.

18 Section 4. That § 36-4-20.7 be amended to read as follows:

19 36-4-20.7. The Board of Examiners may issue a resident certificate to an applicant who has
20 satisfied all the requirements for licensure set forth in § 36-4-11, except having successfully
21 completed a program as an intern or resident, and has successfully completed the first year of
22 a residency program. The applicant shall make application for the resident certificate to the
23 board on forms provided by the board. The application shall be accompanied by an application
24 fee ~~of~~ set by the board, by rule promulgated pursuant to chapter 1-26, not to exceed fifty dollars.

Section 5. That § 36-4-24.1 be amended to read as follows:

36-4-24.1. Each person receiving a license under the provisions of this chapter shall apply, on a form approved by the Board of Medical and Osteopathic Examiners, for a renewal of the license. The renewal shall be issued by the secretary upon payment of ~~a an annual fee to be fixed annually set~~ by the board, by rule promulgated pursuant to chapter 1-26, not exceeding the sum of two hundred dollars. The renewal shall be in the form of a receipt acknowledging payment of the required fee and signed by the secretary of the board.

Section 6. That § 36-4A-34 be amended to read as follows:

36-4A-34. The board shall set, by rules promulgated pursuant to chapter 1-26, and shall collect in advance the following nonrefundable fees from applicants:

- (1) For an initial license, not more than seventy-five dollars;
- (2) For renewal of a license, not more than one hundred dollars;
- (3) For reinstatement of a lapsed license, the current renewal fee plus not more than twenty-five dollars;
- (4) For a temporary license, not more than fifty dollars.

Section 7. That § 36-4B-29 be amended to read as follows:

36-4B-29. The board shall promulgate rules pursuant to chapter 1-26 to set fees in each of the following categories in an amount which will produce sufficient revenue for the ensuing fiscal year not to exceed one hundred twenty percent of the anticipated expenses of the board for the operation of the advanced life support program by the board for that year.

The license fees for all advanced life support personnel shall be as follows:

- (1) Licensure by examination, not less than fifteen dollars nor more than fifty dollars;
- (2) Reexamination within one year, not less than fifteen dollars nor more than fifty dollars;

(3) Licensure by reciprocity, not less than twenty-five dollars nor more than seventy-five dollars;

(4) Renewal of a license, not less than ten dollars, nor more than twenty-five dollars;

(5) Reissuance of a lost or destroyed license, following approval of the board, not more than ten dollars.

Section 8. That § 36-4C-13 be amended to read as follows:

36-4C-13. The board shall prescribe and publish annual fees ~~annually~~ for the following by promulgating rules pursuant to chapter 1-26:

(1) Initial license fee, ~~not to exceed~~ seventy-five dollars;

(2) Renewal of license fee, ~~not to exceed~~ sixty dollars;

(3) Late renewal fee, ~~not to exceed~~ ninety-five dollars; and

(4) Temporary permit fee, ~~not to exceed~~ forty dollars.

Section 9. That § 36-5-11 be amended to read as follows:

36-5-11. The fee for the license shall be set ~~in a~~ by rule, promulgated by the Board of Chiropractic Examiners pursuant to chapter 1-26, and may not exceed three hundred dollars. The fee shall be paid to the secretary-treasurer of the board when the application is submitted.

Section 10. That § 36-5-13 be amended to read as follows:

36-5-13. Any person licensed to practice chiropractic under the laws of any other state having equivalent requirements of this chapter or licensed by the National Board of Chiropractic Examiners may, in the discretion of the Board of Chiropractic Examiners, be issued a license to practice chiropractic in this state without examination, upon payment of the fee ~~to be set in~~ a by rule, promulgated by the board pursuant to chapter 1-26, not to exceed three hundred dollars.

Section 11. That § 36-5-14.1 be amended to read as follows:

1 36-5-14.1. Each person receiving a license under the provisions of this chapter shall procure
2 from the secretary-treasurer of the board on or before the thirty-first day of December of each
3 year, a renewal of license. The renewal shall be issued by the secretary-treasurer upon payment
4 of the fee ~~to be fixed in a set~~ by rule, promulgated by the board pursuant to chapter 1-26, not
5 exceeding the sum of three hundred dollars. The renewal license shall be in the form of a receipt
6 acknowledging payment of the required fee and signed by the secretary-treasurer.

7 Section 12. That § 36-6A-50 be amended to read as follows:

8 36-6A-50. The Board of Dentistry shall ~~establish and collect~~ promulgate fees, by rule
9 pursuant to chapter 1-26, provided for in this chapter, within the following limits:

- 10 (1) Examination fee for dentists, not more than three hundred dollars;
- 11 (2) Examination fee for dental hygienists, not more than one hundred fifty dollars;
- 12 (3) Annual registration fee for dentists, not more than two hundred dollars;
- 13 (4) Annual registration fee for dental hygienists, not more than one hundred dollars;
- 14 (5) Duplicate license or duplicate annual registration certificate fee for dentists or dental
15 hygienists, not less than five dollars nor more than fifteen dollars;
- 16 (6) Reinstatement fee, an amount equal to the examination fee;
- 17 (7) Continuing education program annual fee of not more than twenty dollars;
- 18 (8) Registration certificate for satellite offices, not more than ten dollars;
- 19 (9) Temporary registration fee, not more than three hundred fifty dollars;
- 20 (10) Annual registration fee for persons practicing dental radiography, not more than fifty
21 dollars;
- 22 (11) Examination fee for dental radiographers, not more than fifty dollars;
- 23 (12) General anesthesia, parenteral sedation, and nitrous oxide permits, not more than fifty
24 dollars;

1 (13) Initial registration fee for persons practicing dentistry, not more than two hundred
2 dollars;

3 (14) Initial registration fee for persons practicing dental hygiene, not more than two
4 hundred dollars;

5 (15) Initial registration fee for persons practicing expanded duties, not more than fifty
6 dollars;

7 (16) Initial registration fee for persons practicing dental radiography, not more than fifty
8 dollars;

9 (17) Annual registration for persons practicing expanded duties, not more than fifty
10 dollars;

11 (18) Repealed by SL 2003, ch 199, § 1.

12 (19) Endorsement or credentials fee, not more than six hundred dollars.

13 Section 13. That § 36-6A-58 be amended to read as follows:

14 36-6A-58. Every licensed dentist, dental hygienist, or registered dental radiographer upon
15 changing his or her home or place of business shall, within ten days thereafter, furnish the
16 secretary-treasurer of the Board of Dentistry with ~~his~~ the new address. In case of a lost or
17 destroyed license, and upon satisfactory proof of the loss or destruction thereof being furnished
18 to the board, the latter may issue a duplicate license, charging a fee ~~established~~, not to exceed
19 twenty dollars, set by the board by rule promulgated pursuant to chapter 1-26.

20 Section 14. That § 36-7-12 be amended to read as follows:

21 36-7-12. Any person desiring to take an examination to determine his or her qualifications
22 for the practice of optometry ~~must~~ shall file a sworn application with the secretary of the Board
23 of Examiners in Optometry at least thirty days prior to the time set therefor and pay a fee ~~to be~~
24 ~~set in a~~ by rule promulgated pursuant to chapter 1-26 by the Board of Examiners before

1 examination and an additional amount ~~to be set in by rule promulgated pursuant to chapter 1-26~~
2 by the Board of Examiners upon issuance of certificate. Upon failure to pass ~~his~~ the first
3 examination, the candidate, ~~if he elects,~~ may ~~pay~~ elect to be reexamined upon payment of such
4 additional amount ~~to be, not to exceed one hundred dollars,~~ set ~~in by rule promulgated pursuant~~
5 to chapter 1-26 by the Board of Examiners and take another examination within fifteen months.

6 Section 15. That § 36-7-13 be amended to read as follows:

7 36-7-13. By way of substitution for the requirements in subdivisions 36-7-11(3), (4), and
8 (5) and in §§ 36-7-12, 36-7-12.1 and 36-7-31, a candidate for licensure in this state may be
9 given a certificate of registration by paying a fee ~~of,~~ not to exceed one hundred seventy-five
10 dollars, upon proof to the Board of Examiners by certified copy of the certificate of registration
11 issued to the candidate by another United States jurisdiction where the requirements for
12 registration are deemed by the South Dakota State Board to be the equivalent to those provided
13 by this chapter if the candidate passes the examination administered by the board required by
14 this chapter or presents satisfactory evidence to the board of having passed substantially similar
15 examinations in another jurisdiction, and the candidate has practiced optometry in the other state
16 for at least five consecutive years immediately prior to the candidate's application for
17 registration in South Dakota. The board may promulgate rules, pursuant to chapter 1-26, to
18 establish standards for licensure through endorsement pursuant to this section, including the
19 level and status of licensure required, the evidence required to establish that the requirements
20 for registration in the jurisdiction in which the candidate is licensed are substantially similar to
21 those required by this chapter, the procedure and contents required for submitting the
22 application, ~~and~~ any additional education, testing, or training necessary to ensure the
23 competency of the candidate, and the fee provided for in this section.

24 Section 16. That § 36-7-15.2 be amended to read as follows:

1 36-7-15.2. Only those optometrists who have satisfactorily completed a curriculum in
2 general and ocular pharmacology at an institution accredited by a regional or professional
3 accreditation organization which is recognized or approved by the council on postsecondary
4 accreditation of the United States Office of Education within the Department of Health and
5 Human Services and approved by the State Board of Examiners in Optometry are eligible to
6 apply for the certificate issued pursuant to § 36-7-15.1. Those practitioners who have established
7 their eligibility pursuant to this section must also pass an examination approved by the board
8 before they may be certified to administer the topical pharmaceutical agents described by § 36-
9 7-1. The State Board of Examiners in Optometry may promulgate rules pursuant to chapter 1-26
10 to establish a fee, not to exceed one hundred dollars, for the examination, reexamination, and
11 certification for the use of topical pharmaceutical agents as provided by this section.

12 Section 17. That § 36-8-11 be amended to read as follows:

13 36-8-11. Any applicant for license as a podiatrist failing any examination ~~shall be~~ is entitled
14 within six months after such refusal to a re-examination upon the payment of an additional fee
15 of, not to exceed ten dollars for such examination, ~~but. The fee shall be set by the board by rule~~
16 promulgated pursuant to chapter 1-26. However, two such re-examinations shall exhaust his the
17 applicant's privilege under the original application.

18 Section 18. That § 36-8-15 be amended to read as follows:

19 36-8-15. The fee for annual renewal of a certificate of a podiatrist ~~shall~~ may not exceed one
20 hundred fifty dollars, ~~to be~~ as set by rule by the Board of Podiatry Examiners pursuant to chapter
21 1-26. All renewal certificates shall remain in full force and effect for one year, unless a different
22 time is fixed by ~~the rules and regulations of~~ rule promulgated pursuant to chapter 1-26 by the
23 Board of Podiatry Examiners.

24 Section 19. That § 36-8-20 be amended to read as follows:

36-8-20. Any podiatrist whose license has been suspended or revoked may be reinstated or have a new license issued to him, as the case may be, ~~when if~~ in the discretion of the Board of Podiatry Examiners, such action is warranted, ~~provided such~~. ~~However, the~~ podiatrist shall pay all costs of the proceedings resulting in ~~his~~ the suspension or revocation of license and reinstatement or new license and in addition thereto a fee ~~of~~ set by the board, by rule promulgated pursuant to chapter 1-26, not to exceed twenty-five dollars.

Section 20. That § 36-9-35 be amended to read as follows:

36-9-35. The Board of Nursing shall ~~collect in advance~~ promulgate by rule pursuant to chapter 1-26 the following nonrefundable registered nurse fees which the board shall collect in advance from applicants:

- (1) For initial licensure by examination or endorsement, not more than two hundred dollars, exclusive of any fee which may be required for a nationally administered examination;
- (2) For reexamination, not more than the amount then required for licensure by examination;
- (3) For endorsement to another state, territory, or foreign country, not more than thirty dollars;
- (4) For initial certified registered nurse anesthetist certification, not more than two hundred dollars;
- (5) For issuance of any temporary or limited permit, not more than fifty dollars;
- (6) For biennial renewal of license, not more than one hundred fifty dollars;
- (7) For reinstatement of a lapsed license or certified registered nurse anesthetist certification, the current renewal fee plus not more than one hundred dollars;
- (8) For providing a transcript, not more than five dollars;

- (9) For effecting a name change upon the records of a licensee or certified registered nurse anesthetist certificate holder, not more than twenty dollars;
- (10) For issuing a duplicate license or certified registered nurse anesthetist certificate, not more than thirty dollars;
- (11) For biennial renewal of certified registered nurse anesthetist certification, not more than one hundred fifty dollars;
- (12) For placing a license or certified registered nurse anesthetist certification on inactive status, not more than twenty dollars;
- (13) For issuance of any limited license, not more than thirty dollars.

Section 21. That § 36-9-43 be amended to read as follows:

36-9-43. The Board of Nursing shall ~~collect in advance~~ promulgate by rule pursuant to chapter 1-26 the following nonrefundable licensed practical nurse fees which the board shall collect in advance from applicants:

- (1) For initial licensure by examination or endorsement, not more than two hundred dollars, exclusive of any fee which may be required for a nationally administered examination;
- (2) For reexamination, not more than the amount then required for licensure by examination;
- (3) For endorsement to another state, territory, or foreign country, not more than thirty dollars;
- (4) For issuance of any temporary or limited permit, not more than fifty dollars;
- (5) For biennial renewal of license, not more than one hundred fifty dollars;
- (6) For reinstatement of a lapsed license, the current renewal fee plus not more than one hundred dollars;

- 1 (7) For providing a transcript, not more than five dollars;
- 2 (8) For effecting a name change upon the records of a licensee, not more than twenty
- 3 dollars;
- 4 (9) For issuing a duplicate license, not more than thirty dollars;
- 5 (10) For placing a license on inactive status, not more than twenty dollars.

6 Section 22. That § 36-9A-26 be amended to read as follows:

7 36-9A-26. The boards shall promulgate, by rule pursuant to chapter 1-26, and shall collect
8 in advance the following nonrefundable fees from applicants:

- 9 (1) For initial licensure or endorsement from another state, not more than two hundred
- 10 dollars;
- 11 (2) For biennial renewal of license, not more than one hundred fifty dollars;
- 12 (3) For reinstatement of a lapsed license, the current renewal fee and not more than one
- 13 hundred dollars;
- 14 (4) For providing a transcript, not more than five dollars;
- 15 (5) For effecting a name change upon the records of the license holder, not more than
- 16 twenty dollars;
- 17 (6) For issuance of a duplicate license, not more than thirty dollars;
- 18 (7) For issuing a temporary permit, not more than fifty dollars;
- 19 (8) For placing a license on inactive status, not more than twenty dollars;
- 20 (9) For endorsement to another state, territory, or foreign country, not more than thirty
- 21 dollars.

22 Section 23. That § 36-9B-4 be amended to read as follows:

23 36-9B-4. A medical assistant seeking registration under this chapter shall complete an
24 application prescribed by the Board of Medical and Osteopathic Examiners and the Board of

1 Nursing. The application shall be submitted to the Board of Medical and Osteopathic
2 Examiners. A registration fee ~~of~~ not to exceed ten dollars, shall accompany the application and
3 shall be paid to the Board of Medical and Osteopathic Examiners. The fee shall be set by the
4 board by rule promulgated pursuant to chapter 1-26.

5 The registration shall be renewed biennially by payment of a fee ~~of~~ not to exceed five
6 dollars. The fee shall be set by the board by rule promulgated pursuant to chapter 1-26. A
7 registration not renewed by December thirty-first of the year of expiration lapses.

8 Section 24. That § 36-10-33 be amended to read as follows:

9 36-10-33. Any license issued by the board, pursuant to the provisions of this chapter, expires
10 on the first day of January of the year next succeeding the issuance thereof. A license may be
11 renewed upon the payment of a an annual fee ~~to be fixed annually, in rule, set~~ by the board, by
12 rule promulgated pursuant to chapter 1-26, not exceeding the sum of fifty dollars. Failure of a
13 licensee to renew the license on or before the first day of July of each year ~~shall constitute~~
14 constitutes a forfeiture of the license. However, any person who has forfeited a license under
15 this chapter may have the license restored by making written application therefor and by
16 payment of the annual renewal fee for the current year.

17 Section 25. That § 36-10B-7 be amended to read as follows:

18 36-10B-7. Any person requesting a license under this chapter shall apply to the board
19 through a written application process as promulgated by rules pursuant to chapter 1-26. The
20 application shall be accompanied by an application fee in an amount, not to exceed one hundred
21 dollars, determined by the board by rules promulgated pursuant to chapter 1-26.

22 Section 26. That § 36-11-17 be amended to read as follows:

23 36-11-17. Every person initially applying for a certificate of registration with the Board of
24 Pharmacy as a registered pharmacist shall pay to the board with ~~his~~ the application a fee, not to

1 exceed thirty-five dollars, set by the board by rule promulgated pursuant to chapter 1-26.

2 Section 27. That § 36-11-19 be amended to read as follows:

3 36-11-19. The Board of Pharmacy may in its discretion grant certificates of registration to
4 such persons as shall furnish with their applications satisfactory proof that they have been
5 registered by examination in some other state; provided that such other state required a degree
6 of competency at the time such person was licensed at least equal to that required of licentiates
7 in this state at that same time. The State Board of Pharmacy, in order to be informed, may, in
8 determining the degree of fitness required by the several states' boards of pharmacy for granting
9 license and reciprocal registration, join with other states' boards of pharmacy. Every person
10 applying for registration pursuant to this section shall pay to the board upon application a fee,
11 not to exceed one hundred dollars, set by the board in rule by rule promulgated pursuant to
12 chapter 1-26.

13 Section 28. That § 36-11-32 be amended to read as follows:

14 36-11-32. Upon a form prescribed by the State Board of Pharmacy and the payment of a fee,
15 not to exceed one hundred dollars, set by the Board of Pharmacy in accordance with chapter 1-
16 26, the State Board of Pharmacy shall issue to pharmacists in good standing, registered under
17 the laws of this state, a permit to conduct a pharmacy.

18 Section 29. That § 36-12-12 be amended to read as follows:

19 36-12-12. Any person who is over the age of eighteen years desiring to begin the practice
20 of veterinary medicine or veterinary surgery in the State of South Dakota, shall make application
21 to the Board of Veterinary Medical Examiners for license to do so. Such application shall be
22 made on a form furnished by the board and shall be accompanied by evidence that the applicant
23 has graduated in and received a degree from an accredited or approved college of veterinary
24 medicine or the holder of a current certificate issued by the American veterinary medical

1 association educational commission for foreign veterinary graduates, indicating that the
2 applicant has demonstrated knowledge and skill equivalent to that possessed by a graduate of
3 an accredited or approved college of veterinary medicine. Every person applying to the board
4 for license to practice shall pay to the board a fee of, not to exceed one hundred dollars, which
5 shall become a part of the funds of the treasury of the board.

6 The board shall promulgate rules pursuant to chapter 1-26:
7 ~~To~~ to set the application for licensure fee and establish the educational training, reciprocity,
8 discipline, and examination standards for the licensure for the practice of veterinary medicine
9 and veterinary technicians.

10 Section 30. That § 36-12-15 be amended to read as follows:

11 36-12-15. The Board of Veterinary Medical Examiners, without examination, may issue a
12 license to practice veterinary medicine to a citizen of the United States or a resident of South
13 Dakota who has been actively engaged in such profession in some other state, territory, or the
14 District of Columbia, upon the certificate of the proper licensing authority of that state, territory,
15 or the District of Columbia, certifying that the applicant is duly licensed, that his license has
16 never been suspended or revoked, and that in so far as records of that authority are concerned,
17 the applicant is entitled to its endorsement. The state, territory, or District of Columbia from
18 which the applicant comes shall have and maintain standards regulating the profession at least
19 equal to those maintained in the profession in South Dakota. In order that the board may
20 determine such standards, the secretary of the examining board shall gather information from
21 other states bearing on this point. Such license shall only be issued to those filing application
22 with the secretary of the board accompanied by a fee of not to exceed twenty-five dollars. The
23 fee shall be set by the board by rule promulgated pursuant to chapter 1-26.

24 Section 31. That § 36-12-19 be amended to read as follows:

1 36-12-19. Each person licensed by the Board of Veterinary Medical Examiners to practice
2 veterinary medicine in this state shall procure from the secretary of the board on or before July
3 first, on a biennial basis, a certificate of registration. Such certificate shall be issued by the
4 secretary upon payment of a fee ~~to be fixed annually~~ set by the board, by rule, promulgated
5 pursuant to chapter 1-26, not ~~exceeding~~ to exceed the sum of two hundred dollars.

6 Section 32. That § 36-12-21.5 be amended to read as follows:

7 36-12-21.5. The registration certificate of a veterinary technician shall be renewed each year
8 by procuring a renewal certificate from the board on or before the first day of July of each year.
9 The fee for renewal of the certificate shall be ~~fixed annually~~ set by the board, by rule,
10 promulgated pursuant to chapter 1-26, and may not exceed the sum of five dollars. Failure to
11 renew a certificate on or before July first of each year constitutes a forfeiture of the registration
12 certificate.

13 Section 33. That § 36-13-21 be amended to read as follows:

14 36-13-21. Certificate of registration shall be issued upon the payment of a fee, not to exceed
15 one hundred dollars, set by the board by rules promulgated pursuant to chapter 1-26, ~~and shall~~
16 ~~be.~~ The certificate is valid for a period of two years. The certificate may be renewed by the
17 Abstracters' Board of Examiners upon application within thirty days prior to the expiration
18 thereof and upon payment of the amount to the treasurer of the board. The renewal application
19 shall be accompanied by an affidavit and any other evidence deemed necessary by the board
20 showing that the applicant has been continuously and actively engaged in the business of
21 making and compiling abstracts of title during the life of the preceding certificate.

22 Section 34. That § 36-14-24 be amended to read as follows:

23 36-14-24. The fee to be paid by an applicant for an examination to determine the applicant's
24 fitness to receive a certificate of registration to practice barbering ~~is~~ may not exceed one

1 hundred dollars and for the issuance of the certificate, may not exceed fifty dollars; by an
2 applicant for an examination to determine the applicant's fitness to receive a certificate of
3 registration to practice as an apprentice, may not exceed one hundred dollars, and for the
4 issuance of the certificate, may not exceed fifty dollars. ~~The following~~ All fees shall be set by
5 the board by ~~rule~~ rules promulgated pursuant to chapter 1-26. For the annual renewal of a
6 certificate of registration to practice barbering, no more than eighty dollars, and for the
7 restoration of an expired certificate, no more than twenty dollars, plus no more than fifteen
8 dollars penalty for each expired year; for the annual renewal of a certificate of registration to
9 practice as an apprentice, no more than fifty dollars, and for the restoration of an expired
10 certificate, no more than twenty dollars, plus no more than fifteen dollars penalty for each
11 expired year. The fee to be paid for a permit to operate a barber school or college shall be set
12 by rule promulgated pursuant to chapter 1-26 and may not be more than one hundred fifty
13 dollars annually.

14 Section 35. That § 36-14-28 be amended to read as follows:

15 36-14-28. No shop license may be issued to any person for any new shop wanting to
16 commence operation, or for any shop changing hands, or changing location, until the shop has
17 passed an inspection of the premises and equipment. The inspection shall be made by the Board
18 of Barber Examiners pursuant to the rules promulgated by the board pursuant to chapter 1-26.
19 The fee for the original inspection ~~which is~~ may not exceed one hundred twenty-five dollars, as
20 established by the board by rule promulgated pursuant to chapter 1-26, and shall be submitted
21 along with the application for license and license fee.

22 Section 36. That § 36-16-13 be amended to read as follows:

23 36-16-13. Every person, partnership, company, corporation or association that for a fixed
24 sum, price, fee, percentage or other consideration, undertakes or offers to undertake with another

1 to plan, lay out, supervise, install, make additions, make alterations, or make repairs, in the
2 installation of wiring, apparatus or equipment for electric lights, heat or power, shall apply to
3 the State Electrical Commission for a license. A license shall be issued in the class specified in
4 § 36-16-2 for which application has been made upon qualifying under this chapter and the rules
5 of the commission and satisfactorily passing such examinations as shall be required by the
6 commission.

7 The commission shall promulgate rules, pursuant to chapter 1-26, establishing examination
8 fees. No examination fee may exceed one hundred dollars.

9 Section 37. That § 36-16-30 be amended to read as follows:

10 36-16-30. The State Electrical Commission may promulgate rules, pursuant to chapter 1-26,
11 to establish and collect installation inspection fees for: new residential installations, based on
12 ampere capacity; service connections on other installations, based on ampere capacity; circuit
13 installations or alterations, based on ampere capacity; remodeling work for each opening,
14 connection, lighting fixture, motor or special equipment; apartment buildings per unit; outdoor
15 or area lighting per lighting standard; field irrigation systems; mobile home service and feeders;
16 recreational vehicle service per unit; swimming pools; each late correction order or wiring
17 permit procedure; carnivals and seasonal dwellings for each generator or transformer and
18 reinspection of each unit; wiring permits; modular homes and structures manufactured
19 out-of-state. No inspection fee shall exceed one hundred dollars.

20 Section 38. That § 36-18A-33 be amended to read as follows:

21 36-18A-33. The board shall admit to examination any candidate who pays a fee, not to
22 exceed one hundred dollars, established by the board, by rule promulgated pursuant to chapter
23 1-26, and submits an application with evidence satisfactory to the board that the applicant
24 satisfies the necessary education and experience requirements. The board may require an

1 applicant for licensure or a current licensee to take an examination as it deems necessary to
2 determine that person's professional minimum competency. Upon approval of examination
3 applications, examination fees may be paid by the applicant directly to a national vendor or third
4 party. The board may hold membership in and be represented at national councils or
5 organizations of professional practices licensed under this chapter and may pay the appropriate
6 membership fees. The board may allow proctoring of examinations for approved candidates at
7 out-of-state or overseas sites by administrators of national council member boards. The board
8 may accept candidates to be proctored in this state from other national council member boards.
9 A take-home questionnaire based on statutes and rules and related to professionalism and ethics
10 may also be required. The board shall promulgate rules, pursuant to chapter 1-26, to establish
11 application, examination, and proctor fees for all examinations. No fee may exceed one hundred
12 dollars.

13 Section 39. That § 36-18A-34 be amended to read as follows:

14 36-18A-34. The board shall notify each applicant of the results of the examination and those
15 entitled to licensure or enrollment. If an applicant fails the examination and the applicant's
16 application is still current, subsequent reexaminations may be granted upon payment of a fee
17 ~~to be fixed by the board.~~ The board shall promulgate rules, pursuant to chapter 1-26, to establish
18 reexamination fees, not to exceed one hundred dollars, for all licensure and enrollment
19 applicants.

20 Section 40. That § 36-18A-35 be amended to read as follows:

21 36-18A-35. The board may give comity consideration to any person who holds a current and
22 valid license issued to that person for active practice by the proper authority in any state or
23 territory of the United States, the District of Columbia, or any foreign country, based on
24 requirements that do not conflict with the provisions of this chapter and were of a standard not

1 lower than that specified in the applicable licensure act in effect in this state at the time such
2 license was issued. An applicant may be required to take examinations as the board deems
3 necessary to determine the applicant's competency. A comity applicant for landscape
4 architecture shall hold a current and valid certification from the Council of Landscape
5 Architectural Registration Boards to be eligible for comity licensure. The board shall
6 promulgate rules, pursuant to chapter 1-26, ~~relating to~~ set the application fee for licensure by
7 comity. The fee may not exceed one hundred dollars.

8 Section 41. That § 36-18A-39 be amended to read as follows:

9 36-18A-39. A license expires two years after the date of issuance and becomes invalid on
10 that date unless renewed by that date. Any professional engineer, architect, land surveyor,
11 landscape architect, or petroleum release assessor or remediator licensed under this chapter who
12 desires to continue to practice or offer to practice the licensee's profession shall:

- 13 (1) Pay the renewal fee, not to exceed one hundred dollars, established by the board in
14 rules promulgated pursuant to chapter 1-26; and
- 15 (2) Successfully complete all continuing professional development requirements
16 established by the board or make a showing of good cause why the licensee was
17 unable to comply with such requirements.

18 The board shall promulgate rules, pursuant to chapter 1-26, to establish continuing
19 professional education and development criteria.

20 Section 42. That § 36-18A-43 be amended to read as follows:

21 36-18A-43. Any licensed person may request that the person's license be placed on inactive
22 or retired status. A fee, not to exceed one hundred dollars, to place files on inactive or retired
23 status shall be determined by the board in rules promulgated pursuant to chapter 1-26. Failure
24 to render any fees required for inactive or retired status shall result in the automatic termination

1 of inactive or retired status. The request for files to be placed on inactive or retired status may
2 be denied by the board. No person may practice or offer to practice while that person's files are
3 inactive or retired.

4 Section 43. That § 36-19-17 be amended to read as follows:

5 36-19-17. Every funeral director who, on July 1, 1963, held a license which had been duly
6 issued under the laws of this state, is entitled to have his license renewed annually upon payment
7 of renewal fees of not to exceed fifty dollars ~~to be fixed~~ set by the State Board of Funeral
8 Service, by rule promulgated pursuant to chapter 1-26.

9 Section 44. That § 36-19-18 be amended to read as follows:

10 36-19-18. The State Board of Funeral Service shall provide for registration of trainees for
11 license to practice funeral service. Trainees shall at all times remain registered with the board;
12 and shall pay an initial registration fee not to exceed twenty-five dollars ~~set by the State Board~~
13 of Funeral Service, by rule promulgated pursuant to chapter 1-26.

14 Section 45. That § 36-19-25 be amended to read as follows:

15 36-19-25. A license to practice funeral service shall be issued and is renewable annually
16 upon payment of a fee not to exceed one hundred twenty-five dollars ~~to be fixed~~ set by the State
17 Board of Funeral Service, by rule promulgated pursuant to chapter 1-26.

18 Section 46. That § 36-19-27 be amended to read as follows:

19 36-19-27. An application for a license to operate a funeral establishment shall be submitted
20 for each location and shall be in writing on a form provided by the State Board of Funeral
21 Service and shall be accompanied by a fee not to exceed two hundred fifty dollars set by the
22 State Board of Funeral Service, by rule promulgated pursuant to chapter 1-26. A license to
23 operate a funeral establishment may be granted upon approval and recommendation by the state
24 board.

1 The application shall state the name of the individual who is duly licensed as either a funeral
2 director or in funeral service and who shall be in charge and responsible for all transactions
3 conducted and services performed.

4 Section 47. That § 36-19-37 be amended to read as follows:

5 36-19-37. All licenses issued under the provisions of this chapter ~~shall be~~ are valid only until
6 the following thirty-first day of December.

7 If a licensee desires a renewal of such license, the State Board of Funeral Service shall grant
8 it, except for cause in compliance with chapter 1-26. All applications for renewal shall be made
9 within thirty days prior to the expiration of the license and shall be accompanied by a renewal
10 fee not to exceed two hundred fifty dollars, ~~to be fixed set~~ by the board, by rule promulgated
11 pursuant to chapter 1-26.

12 Section 48. That § 36-20B-12 be amended to read as follows:

13 36-20B-12. The board may promulgate rules, pursuant to chapter 1-26, governing its
14 administration and enforcement of this chapter and the conduct of licensees, including:

- 15 (1) Rules governing the board's meetings and the conduct of its business;
- 16 (2) Rules of procedure governing the conduct of investigations and hearings by the
17 board;
- 18 (3) Rules specifying the fees, educational and experience qualifications required for the
19 issuance of certificates, the date for renewal of firm permits and certificates, and the
20 continuing professional education required for renewal of certificates;
- 21 (4) Rules of professional conduct to control the quality and integrity of the practice of
22 public accountancy by licensees, covering such areas as independence, integrity, and
23 objectivity; competence and technical and professional standards; responsibilities to
24 the public; and responsibilities to clients;

- 1 (5) Rules governing the manner and circumstances of use by holders of certificates who
2 do not practice public accountancy, as defined under this chapter, of the titles
3 certified public accountant and CPA;
- 4 (6) Rules specifying procedures and fees for registration of certificate holders who do not
5 practice public accountancy, as defined under this chapter;
- 6 (7) Rules governing the manner and circumstances of use by holders of licenses issued
7 under prior law who do not practice public accountancy, as defined under this
8 chapter, of the titles public accountant and PA;
- 9 (8) Rules specifying procedures and fees for registration of license holders who do not
10 practice public accountancy, as defined under this chapter;
- 11 (9) Rules regarding peer review pursuant to this chapter;
- 12 (10) Rules specifying peer review administrative fees;
- 13 (11) Rules specifying procedures and fees for required peer review documentation not
14 filed in a timely manner;
- 15 (12) Rules specifying fees for examination and reexamination and issuance of a
16 certificate;
- 17 (13) Rules specifying procedures and fees for proctoring applicants from another
18 jurisdiction;
- 19 (14) Rules specifying the procedures and fees for initial issuance or renewal of a firm
20 permit;
- 21 (15) Rules governing the application and fees for a modification of a disciplinary action
22 or reissue of a certificate or firm permit;
- 23 (16) Rules governing the methods, eligibility, and requirements for applying for
24 examination and reexamination;

- 1 (17) Rules specifying procedures and fees for renewal of certificates and firm permits not
2 filed in a timely manner;
- 3 (18) Rules specifying procedures and fees for replacement of a certificate or permit;
- 4 (19) Rules specifying methods and requirements for conducting the examination;
- 5 (20) Rules specifying methods, eligibility, and requirements of applying for a certificate;
- 6 (21) Rules specifying procedures and fees for issuance of certificates and firm permits not
7 filed within the required period of time;
- 8 (22) Rules defining active and inactive status of both certificate and PA license holders
9 who are not practicing public accountancy; and
- 10 (23) Rules specifying procedures and fees on substantial equivalency.

11 No fee may exceed one hundred dollars.

12 Section 49. That § 36-20B-17 be amended to read as follows:

13 36-20B-17. The board may charge, or provide for a third-party administering the
14 examination to charge, each applicant a fee, in an amount, not to exceed one hundred dollars,
15 prescribed by the board, by rule promulgated pursuant to chapter 1-26, for each section of the
16 examination or reexamination taken by the applicant.

17 Section 50. That § 36-20B-28 be amended to read as follows:

18 36-20B-28. The board shall charge a fee for each application for initial issuance or renewal
19 of a certificate under this chapter in an amount, not to exceed one hundred dollars, prescribed
20 by the board, by rule promulgated pursuant to chapter 1-26.

21 Section 51. That § 36-20B-37 be amended to read as follows:

22 36-20B-37. The board shall charge a fee for each application for initial issuance or renewal
23 of a permit in an amount, not to exceed one hundred dollars, prescribed by the board, by rule
24 promulgated pursuant to chapter 1-26.

Section 52. That § 36-21A-38 be amended to read as follows:

36-21A-38. No license may be granted to a corporation, limited liability company, partnership or association, unless the corporation, limited liability company, partnership or association designates one or more qualifying brokers who own a substantial interest in and represent the corporation, partnership or association. The qualifying broker shall sign the application for the license. Upon the termination of a qualifying broker's affiliation with the firm, the firm shall name one or more new qualifying brokers and notify the commission in writing. The application fee for a firm license shall be set out by rule promulgated by the commission pursuant to chapter 1-26 and may not exceed one hundred dollars.

Section 53. That § 36-21A-60 be amended to read as follows:

36-21A-60. Fees include the following:

- (1) Certificate of licensee, a fee ~~of~~ not to exceed fifteen dollars;
- (2) For each additional office or place of business, a biennial fee ~~of~~ not to exceed thirty dollars;
- (3) For each change of office or place of business, a fee ~~of~~ not to exceed fifteen dollars;
- (4) For each statement of registration of change of association, a fee ~~of~~ not to exceed fifteen dollars; and
- (5) For each duplicate license, if the original license is lost or destroyed and affidavit made thereof, a fee ~~of~~ not to exceed fifteen dollars.

Fees shall be set by the commission by rules promulgated pursuant to chapter 1-26.

Section 54. That § 36-21A-61 be amended to read as follows:

36-21A-61. A person or firm licensed either actively or inactive under this chapter shall register every two years with the commission and pay a fee set by rule promulgated by the commission pursuant to chapter 1-26 not to exceed two hundred dollars. The application for

1 renewal of a license shall be made to the commission by November thirtieth of the year the
2 current license expires. Failure of a person to register results in cancellation of the license on
3 December thirty-first. The license may be reinstated by filing a new application and requalifying
4 as provided by this chapter.

5 Section 55. That § 36-21A-66 be amended to read as follows:

6 36-21A-66. A licensee who fails to file an application and fee for biennial registration may
7 suspend the cancellation of ~~his~~ the license by filing a late registration application and a fee in
8 ~~the an~~ amount of not to exceed twenty dollars for each month or fraction of a month that has
9 passed since November thirtieth. The fee shall be set by the commission by rule promulgated
10 pursuant to chapter 1-26. However, no late application may be accepted by the commission after
11 June thirtieth.

12 Section 56. That § 36-24-21.1 be amended to read as follows:

13 36-24-21.1. The board shall issue a license to any applicant who meets the requirements of
14 this section and pays the application fee set by the board, by rule promulgated pursuant to
15 chapter 1-26, not to exceed three hundred fifty dollars.

16 Section 57. That § 36-24-24.3 be amended to read as follows:

17 36-24-24.3. The board shall issue a provisional audiology license to ~~an~~ any applicant who:

- 18 (1) Except for the postgraduate professional experience, meets the academic, practicum,
19 and examination requirements of this chapter;
- 20 (2) Applies to the board on a form prescribed by the board, with a plan for the content
21 of the postgraduate professional experience; and
- 22 (3) Pays to the board the application fee for a provisional license not to exceed one
23 hundred fifty dollars set by the board by rule promulgated pursuant to chapter 1-26.

24 A person holding a provisional audiology license is authorized to practice audiology only

1 while working under the supervision of a licensed audiologist under the provisions of this
2 chapter. The term for provisional audiology licenses and the conditions for renewal shall be
3 determined by the board by rules promulgated pursuant to chapter 1-26.

4 Section 58. That § 36-24-25.1 be amended to read as follows:

5 36-24-25.1. Pending board approval, the board may issue a hearing aid dispensing license
6 or audiology license to an applicant holding a valid license from another state in the applicant's
7 respective professional area who:

- 8 (1) Applies to the board on a form prescribed by the board;
- 9 (2) Pays to the board the application fee not to exceed three hundred fifty dollars set by
10 the board by rule promulgated pursuant to chapter 1-26;
- 11 (3) Shows proof of current valid professional licensure;
- 12 (4) Holds a license from a state with equivalent licensure standards; and
- 13 (5) Is practicing audiology or hearing aid dispensing in the state in which the license was
14 issued.

15 Section 59. That § 36-24-28.1 be amended to read as follows:

16 36-24-28.1. A license or provisional license issued under this chapter expires annually at a
17 time specified by rules promulgated by the board pursuant to chapter 1-26. A person licensed
18 under this chapter shall:

- 19 (1) Pay a renewal license fee established by the board, by rule promulgated pursuant to
20 chapter 1-26, not to exceed three hundred fifty dollars;
- 21 (2) Submit an application for renewal on a form prescribed by the board; and
- 22 (3) Meet the continuing education requirements established by the board.

23 Licensees are granted a grace period of thirty days beyond the expiration date of the license
24 to renew retroactively as long as licensees are otherwise eligible and pay to the board the

1 renewal fee ~~not to exceed three hundred fifty dollars~~ and any late fee not to exceed one hundred
2 dollars set by the board, by rule promulgated pursuant to chapter 1-26.

3 Section 60. That § 36-24-29.1 be amended to read as follows:

4 36-24-29.1. A licensee who fails to renew by the end of the thirty-day grace period may have
5 the license reinstated if:

6 (1) The person submits an application for reinstatement to the board within three years
7 after the expiration date of the license;

8 (2) The person meets the requirements established by the board as conditions for license
9 renewal; and

10 (3) The person pays to the board a reinstatement fee that equals the renewal fee ~~not to~~
11 ~~exceed three hundred fifty dollars~~ in effect on the last regular renewal date
12 immediately preceding the date of reinstatement, plus any late fee not to exceed one
13 hundred dollars set by the board, by rule promulgated pursuant to chapter 1-26.

14 Any person who fails to renew a license within three years from the expiration date may not
15 have the license reinstated. The person may apply for and obtain a new license on conditions
16 of the requirements of this chapter and pay to the board the appropriate fees.

17 Section 61. That § 36-24-29.2 be amended to read as follows:

18 36-24-29.2. A suspended license is subject to expiration and may be renewed as provided
19 in this chapter, but such renewal does not entitle the licensee, while the license remains
20 suspended and until it the license is reinstated, to engage in the licensed activity or in any other
21 conduct or activity in violation of the order of judgment by which the license was suspended.

22 A license revoked on disciplinary grounds is subject to expiration as provided in this
23 chapter, ~~but it~~ and the license may not be renewed. If such license is reinstated after its
24 expiration, the licensee, as a condition of reinstatement, shall pay a reinstatement fee ~~that shall~~

1 equal to the renewal fee ~~not to exceed three hundred fifty dollars~~ in effect on the last regular
2 renewal date immediately preceding the date of reinstatement, plus any late fee not to exceed
3 one hundred dollars set by the board, by rule promulgated pursuant to chapter 1-26.

4 Section 62. That § 36-24-46 be amended to read as follows:

5 36-24-46. The board may promulgate rules pursuant to chapter 1-26 to establish application
6 fees, license fees, provisional license fees, renewal fees, penalty fees, reciprocity fees, and late
7 fees. All fees provided under this chapter are nonrefundable. No fee may exceed one hundred
8 dollars.

9 The board may also promulgate rules pursuant to chapter 1-26 for the qualification of
10 applicants, issuance and renewal of licenses, and requirements for continuing education.

11 Section 63. That § 36-25-19 be amended to read as follows:

12 36-25-19. Application for a plumber's permit shall be made to the commission, accompanied
13 by the proper fee. Unless the applicant is entitled to a renewal he shall be registered by the
14 commission only after satisfactorily passing an examination showing fitness to practice his
15 trade. Examinations may be held in conjunction with any quarterly meeting of the commission.

16 The commission may promulgate rules, pursuant to chapter 1-26, to establish reexamination
17 fees for: plumbing contractor, plumber, water conditioning and treatment plumbing contractor,
18 water conditioning and treatment plumbing installer, appliance plumbing contractor, appliance
19 plumbing installer, sewer and water plumbing contractor, sewer and water plumbing apprentice
20 installer, manufactured and mobile home contractor, manufactured and mobile home installer,
21 manufactured and mobile home apprentice, underground irrigation contractor, underground
22 irrigation installer and underground irrigation installer apprentice. No fee may exceed one
23 hundred dollars.

24 Section 64. That § 36-25-19.1 be amended to read as follows:

1 36-25-19.1. The commission shall collect a plumbing permit fee from any person
2 responsible for the installation of plumbing work. The plumbing inspection fee shall include the
3 fee for a plumbing installation certificate, plus the appropriate fees for the plumbing fixtures to
4 be inspected. The maximum fee for permits in a single-family dwelling unit is fifty dollars. The
5 maximum fee for permits in a multiple-dwelling unit or public building is two hundred dollars.
6 The commission shall establish by rule ~~adopted~~ promulgated pursuant to chapter 1-26 the fee
7 for the plumbing installation certificate and the fees for inspections of plumbing fixtures.

8 Section 65. That § 36-25-22 be amended to read as follows:

9 36-25-22. The commission shall register and issue a permit to applicants who have
10 successfully qualified for such permit under the provisions of this chapter and upon payment
11 of the fee herein provided. Permits shall expire December thirty-first of each year, but may be
12 renewed upon application made not later than the following January thirty-first.

13 The commission shall promulgate rules, pursuant to chapter 1-26, to establish the renewal
14 of license fees for: plumbing contractor, plumber, water conditioning plumbing installer
15 apprentice, water conditioning and treatment plumbing contractor, water conditioning plumbing
16 installer, appliance installation plumbing contractor, appliance plumbing installer, appliance
17 plumbing installer apprentice, sewer and water installation plumbing contractor, sewer and
18 water plumbing installer, sewer and water plumbing installer apprentice, manufactured and
19 mobile home contractor, manufactured and mobile home installer, manufactured and mobile
20 home apprentice, underground irrigation contractor, underground irrigation installer and
21 underground irrigation installer apprentice. No fee may exceed one hundred dollars.

22 Section 66. That § 36-25-22.1 be amended to read as follows:

23 36-25-22.1. Any person who, before June 30, 1994, furnishes satisfactory evidence to the
24 commission that ~~he~~ the person was engaged in business as an underground irrigation contractor

1 or an underground irrigation installer between January 1, 1993, and July 1, 1993, in this state
2 shall be registered without examination, upon payment of ~~fees as~~ a fee, not to exceed one
3 hundred dollars, established by the commission by rules ~~adopted~~ promulgated pursuant to
4 chapter 1-26.

5 Section 67. That § 36-25-24 be amended to read as follows:

6 36-25-24. Fees for permits for plumbing contractors and plumbers shall be promulgated in
7 rules by the commission, which fees shall be payable prior to taking the examination for the first
8 time.

9 There ~~shall be~~ is no fee for a plumber's apprentice ~~provided if~~ provided if such person ~~shall be~~ is
10 actively engaged in the trade of an apprentice plumber as defined in this chapter, but no person
11 is entitled to such permit for longer than four years.

12 The fee for a temporary permit shall be as determined by the commission. The commission
13 shall promulgate rules, pursuant to chapter 1-26, to establish initial examination and license fees
14 and temporary license fees for: plumbing contractor, plumber, water conditioning and treatment
15 plumbing contractor, water conditioning plumbing installer, appliance installation plumbing
16 contractor, appliance plumbing installer, sewer and water plumbing contractor, sewer and water
17 plumbing installer, manufactured and mobile home contractor, manufactured and mobile home
18 installer, manufactured and mobile home apprentice, underground irrigation contractor,
19 underground irrigation installer and underground irrigation installer apprentice. No fee may
20 exceed one hundred dollars.

21 Section 68. That § 36-26-19 be amended to read as follows:

22 36-26-19. The fees to be paid by an applicant to determine fitness to receive a license to
23 practice social work shall be set by the board.

24 The fees shall be set in rules promulgated pursuant to chapter 1-26 in the following areas:

1 for a biennial application, for reciprocity without examination, for the biennial renewal of a
2 license, for examination or reexamination, for a temporary license, for a duplicate license, and
3 for a late fee assessed after a license forfeiture. No fee may exceed one hundred dollars.

4 Section 69. That § 36-27A-19 be amended to read as follows:

5 36-27A-19. The application fee for a license to practice psychology shall be set by the Board
6 of Examiners of Psychologists in rules ~~adopted~~ promulgated pursuant to chapter 1-26. The fee
7 may not exceed three hundred dollars. The application fee includes the oral examination
8 required by this chapter. The applicant shall pay fees for the written national examination and
9 any reexamination directly to the national examination company.

10 Section 70. That § 36-27A-20 be amended to read as follows:

11 36-27A-20. An applicant who fails to pass the oral examination required by this chapter is
12 entitled to reexamination within six months upon payment of an additional fee, not to exceed
13 two hundred dollars, to be set by the Board of Examiners of Psychologists in rules ~~adopted~~
14 promulgated pursuant to chapter 1-26. One reexamination exhausts the privilege under the
15 original application. An applicant who fails to pass the written examination required by this
16 chapter is entitled to reexamination within six months upon payment of an additional fee
17 directly to the national examination company. One reexamination exhausts the privilege under
18 the original application.

19 Section 71. That § 36-27A-22.1 be amended to read as follows:

20 36-27A-22.1. After an applicant passes the oral and written examinations, ~~he~~ the applicant
21 shall pay a fee for initial licensure set by the Board of Examiners of Psychologists in rules
22 ~~adopted~~ promulgated pursuant to chapter 1-26, not to exceed three hundred fifty dollars.

23 Section 72. That § 36-27A-24 be amended to read as follows:

24 36-27A-24. The license shall be renewed annually by payment of a fee, not to exceed three

1 hundred fifty dollars, to be set by the Board of Examiners of Psychologists in rules ~~adopted~~
2 promulgated pursuant to chapter 1-26. The failure of a licensee to renew ~~his~~ the license by the
3 first day of July each year constitutes a forfeiture. However, a person who forfeits his license
4 may have it restored by making written application and payment of the required renewal fee
5 prior to the first day of January of the next year, following notification from the board.

6 Section 73. That § 36-27A-29.1 be amended to read as follows:

7 36-27A-29.1. If payment of costs incurred in carrying out a license revocation or other
8 disciplinary action prevents the Board of Examiners of Psychologists from meeting its other
9 financial obligations, the board, upon the approval of a majority of its members, may assess each
10 licensee a special fee to make up the deficit. The Board of Examiners of Psychologists shall set
11 the special fee, not to exceed three hundred dollars a year, in rules ~~adopted~~ promulgated
12 pursuant to chapter 1-26. If the special fee is assessed, a licensee is ineligible to renew ~~his~~ the
13 license until ~~he pays~~ the payment of the fee.

14 Section 74. That § 36-28-15 be amended to read as follows:

15 36-28-15. Any person applying to be licensed as a nursing facility administrator shall pay
16 an initial license fee in an amount set ~~in a~~ by rule promulgated by the board pursuant to chapter
17 1-26, which may not exceed one hundred fifty dollars. The initial license fee shall be prorated
18 to the next biennial renewal date according to rule promulgated by the board pursuant to chapter
19 1-26.

20 Section 75. That § 36-28-18 be amended to read as follows:

21 36-28-18. A nursing facility administrator's license expires on December thirty-first
22 biennially and is renewable biennially thereafter upon application to the board and payment of
23 a biennial license fee set ~~in a~~ by rule promulgated by the board pursuant to chapter 1-26. The
24 fee may not exceed one hundred fifty dollars.

Section 76. That § 36-28-18.1 be amended to read as follows:

36-28-18.1. The board may issue duplicate licenses of biennial renewal and may ~~adopt~~ promulgate rules and set renewal fees ~~therefore~~, which may not exceed fifty dollars, ~~in compliance with~~ pursuant to chapter 1-26.

Section 77. That § 36-29-11 be amended to read as follows:

36-29-11. Any license issued by the Board of Medical and Osteopathic Examiners shall expire on the first day of July of the first year following its issuance. A license may be renewed every year upon the payment of a fee ~~to be fixed~~ set by the board, by rule promulgated pursuant to chapter 1-26. The fee may not exceed fifty dollars.

Section 78. That § 36-31-12 be amended to read as follows:

36-31-12. The board shall prescribe and ~~publish~~ promulgate the following fees ~~for the following~~ by rule pursuant to chapter 1-26:

- (1) Initial license fee;
- (2) Renewal of license fee;
- (3) Late renewal fee; and
- (4) Limited permit fee.

These fees shall be sufficient to cover the activities and responsibilities of the board but ~~shall~~ may not exceed the sum of fifty dollars.

Section 79. That § 36-32-19 be amended to read as follows:

36-32-19. Any applicant failing to pass the examination provided by this chapter ~~shall be~~ is entitled within six months to a reexamination upon payment of an additional fee, not to exceed one hundred dollars, to be promulgated by the board pursuant to chapter 1-26, ~~but~~. However, two such reexaminations shall exhaust the privilege under the original application.

Section 80. That § 36-32-19.1 be amended to read as follows:

1 36-32-19.1. ~~An~~ Any applicant failing to pass the examination required for licensed
2 professional counselor-mental health is entitled to a reexamination within six months upon
3 payment of an additional fee, not to exceed one hundred dollars, to be promulgated by the board
4 pursuant to chapter 1-26. However, two such reexaminations exhaust the privilege under the
5 original application.

6 Section 81. That § 36-32-20 be amended to read as follows:

7 36-32-20. Any license issued by the board requires renewal by the last day of December of
8 each year in the manner and upon the payment of a fee, not to exceed one hundred dollars,
9 established by the board by rules promulgated pursuant to chapter 1-26. Any licensee failing to
10 renew a license prior to January first may be required to pay a late fee, not to exceed one
11 hundred dollars, as prescribed in rules promulgated by the board. Any license not renewed by
12 July first is inactive.

13 Section 82. That § 36-32-26 be amended to read as follows:

14 36-32-26. The board may promulgate rules pursuant to chapter 1-26 to set standards for
15 professional practice and establish procedures and fees for applications, licensure, license
16 renewal, reciprocal license, duplicate license, eligibility, continuing education, supervision,
17 examination for licensed professional counselors and licensed professional counselors--mental
18 health.

19 Section 83. That § 36-33-9 be amended to read as follows:

20 36-33-9. An applicant for a license as a licensed marriage and family therapist shall file an
21 application with the board on a form, in the manner, and along with an application fee, not to
22 exceed one hundred dollars, established by the board in rules promulgated pursuant to chapter
23 1-26. The board shall issue a license as a marriage and family therapist to an applicant who pays
24 the license fee and furnishes the board with satisfactory evidence that:

- 1 (1) The applicant is at least twenty-one years of age;
- 2 (2) The applicant is of good moral character;
- 3 (3) The applicant has received a master's or doctoral degree which consists of at least
4 forty-eight semester credit hours in marriage and family therapy from a program
5 accredited by the Commission on Accreditation for Marriage and Family Therapy
6 Education, or a program with specialty training in marriage and family counseling or
7 therapy which is accredited by the Council for Accreditation of Counseling and
8 Related Educational Programs, or a graduate degree from a regionally accredited
9 educational institution and an equivalent course of study as approved by the board
10 which meets the standards of the American Association for Marriage and Family
11 Therapy. The course of study shall include:
 - 12 (a) Marriage and family studies (3 course, 9 semester credit minimum):
13 Introductory systems theory, family development, family systems (marital,
14 sibling, individual subsystems), special family issues, gender and cultural
15 issues, all with major focus from a systems theory orientation;
 - 16 (b) Marriage and family therapy (3 course, 9 semester credit minimum):
17 Advanced systems theory and interventions, major systemic marriage and
18 family treatment approaches, (structural, strategic, neoanalytic (object
19 relations), behavioral marriage and family therapy, communications, sex
20 therapy, etc.);
 - 21 (c) Human development (3 course, 9 semester credit minimum): At least one
22 course in psychopathology-abnormal behavior is required and at least one
23 course in assessment is required. The third course may be selected from
24 human development (normal and abnormal), personality theory, or human

1 sexuality;

2 (d) Professional studies (1 course, 3 semester credit minimum): Professional
3 ethics as a therapist including legal and ethical responsibilities and liabilities,
4 family law, etc;

5 (e) Research (1 course, 3 semester credit minimum): Research course in marriage
6 and family studies and therapy including research design, methodology,
7 statistics;

8 (f) Practicum (supervised clinical practice), one year minimum during graduate
9 work: Fifteen hours per week, approximately 8 to 10 hours in direct clinical
10 contact with individuals, couples, and families. Minimum of three hundred
11 client contact hours required;

12 (4) The applicant has successfully completed (a) at least two years of supervised
13 professional work experience in marriage and family therapy following receipt of the
14 first qualifying graduate degree and the practicum required as part of the course of
15 study, and (b) at least two hundred hours of supervision of one thousand seven
16 hundred hours of marriage and family therapy conducted in face-to-face contact with
17 individuals, couples, and families including supervision in the diagnosis of individual
18 pathology. Only supervised clinical contact may be credited for this requirement. At
19 least one hundred of the two hundred hours of supervision must be individual
20 supervision. The supervisor shall be a licensed marriage and family therapist or the
21 equivalent as determined by the board pursuant to chapter 1-26; and

22 (5) The applicant passes a written or oral examination, or both, as the board may
23 prescribe by rules promulgated pursuant to chapter 1-26.

24 Section 84. That § 36-35-17 be amended to read as follows:

1 36-35-17. Any applicant for a license under this chapter shall submit a nonrefundable
2 application fee ~~of~~ not to exceed one hundred dollars. Any person who has a license issued or
3 renewed by the board shall submit a license fee in an amount ~~set by the board, but~~ not to exceed
4 sixty-five dollars. Fees shall be set by the commission by rule promulgated pursuant to chapter
5 1-26.

6 Section 85. That § 36-35-18 be amended to read as follows:

7 36-35-18. Any person holding a valid license under this chapter may obtain a certified
8 duplicate license by submitting a fee ~~of~~ to be set by the board by rule promulgated pursuant to
9 chapter 1-26, not to exceed twenty-five dollars for each certified duplicate.